

REMARKS

Claims 1-19 are pending in the present application. Claims 1-19 are rejected.

Rejection of Claims under 35 U.S.C. § 112

Claims 3 and 8-19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the Examiner asserts that the term “all events” as recited in the claims is unclear. It is respectfully submitted that the repeated reference to the term in the specification, for example, at p. 17, lines 9-11; p. 18, lines 1-7; p. 5, lines 22-25; p. 11, lines 9-11; and p. 13, lines 1-5 sufficiently convey the meaning of the claim term and the context in which it is used in the claims. To attempt to further define the term will necessarily limit the intended broad claim language that is fully supported by the specification.

Rejection of Claims under 35 U.S.C. § 102(a)

Claims 1, 2 and 7 are rejected under 35 U.S.C. § 102(a) as being anticipated by Shanklin et al. (U.S. Patent No. 6,578,147) (“Shanklin”). This rejection is respectfully traversed because Shanklin does not disclose each and every element of independent claim 1.

In order to maintain an anticipatory rejection under 35 U.S.C. § 102, a reference must teach every element of the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.).

Shanklin does not disclose each and every element of independent claim 1. For example, claim 1 recites in part, “... means for controlling a routing of the routed external access request within the private network to a particular area of the private network based on a location address of the particular area... .” The Examiner relies on Col. 3, lines 30-31 of Shanklin for support; however, the cited language does not disclose each and every claimed element. The cited language from Shanklin states

only that, “Router 12 inspects packets incoming from the external network to determine which should be forwarded into the local network 10.” Coupled with the other requirements of claim 1, Shanklin cannot be said to anticipate claim 1. Because claims 2 and 7 depend from claim 1, the above arguments are also applicable to claims 2 and 7.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 3-5, 8-13, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shanklin in view of Terry Escamilla, “Intrusion Detection.” This rejection is respectfully traversed.

Because claims 3-5 depend from claim 1, the arguments presented above are also applicable to claims 3-5.

With respect to independent claim 8, Intrusion Detection does not cure the deficiencies of Shanklin. The Examiner cites to Fig. 2 of Shanklin; however, Fig. 2 does not disclose or suggest all of the elements recited in the four levels of security detailed in claim 8. Nor does the cited language, p. 174, lines 1-7 of Intrusion Detection, make up for the deficiencies. Because claims 9-13 and 19 depend from claim 8, the arguments presented regarding claim 8 are also applicable to claims 9-13 and 19.

Claims 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shanklin in view of Kimball et al. (U.S. Patent No. 5,859,959) (“Kimball”). This rejection is respectfully traversed. Because claims 6 and 14 depend on independent claims 1 and 8, respectively, the arguments provided above regarding claims 1 and 8 are also applicable to claims 6 and 14.

Claims 15-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shanklin in view of Kimball in further view of Sharma et al. (U.S. Patent No. 6,754,716) (“Sharma”). This rejection is respectfully traversed. Because claims 15-18 depend on independent claim 8, the arguments provided above regarding claim 8 are also applicable to claims 15-18.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 501458.

Respectfully submitted,

By:


John W. Ball Jr.
Registration No. 44,433

Date: 6/16/05
KILPATRICK STOCKTON LLP
607 14th Street, N.W., Suite 900
Washington, D.C. 20005
(202) 508-5800